

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

MOSHE BENENFELD,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #
DATE FILED: 11-22-19

Order of Restitution

18 Cr. 485 (LAP)

Upon the application of the United States of America, by its attorney, Geoffrey S. Berman, United States Attorney for the Southern District of New York, Dina McLeod, Assistant United States Attorney, of counsel; the presentence report; the Defendant's conviction on Count One of the above Indictment; and all other proceedings in this case, it is hereby ORDERED that:

1. Amount of Restitution. MOSHE BENENFELD, the Defendant, shall pay restitution in the total amount of **\$4,676,188.08** to the victim of the offense charged in Count One. Upon consideration of the facts of this case, the Court finds that this figure reasonably reflects the defendant's level of contribution to the victim's loss and the economic circumstances of the defendant. *See* 18 U.S.C. § 3664(h). The name and address to which restitution should be sent is set forth below. Upon advice of a change of address, the Clerk of the Court is authorized to send payments to the new address without further order of this Court.

2. Name and Address for Restitution.

Restitution, in the amount of **\$4,676,188.08**, should be made out to Apple Bank and sent to:

Apple Bank
Attn: Connie Moyer
122 E 42nd Street, 5th Floor
New York, NY 10168

3. Payment to the Insurer. If Apple Bank has been compensated for losses caused by the conduct of the defendant, in full, or in part, by its insurer, then the defendant shall pay the insurer the amount that the insurer paid to Apple Bank (not to exceed \$4,676,188.08). Payments to the insurer shall be sent to the following address:

Federal Insurance Company, U.S. Specialty Insurance Company, and
Great American Insurance Company
c/o Martin J. Flannery, Counsel
Pattison & Flannery
427 Bedford Road – Suite 180
Pleasantville, NY 10570

4. Order of Payments. Pursuant to 18 U.S.C. § 3664(j)(1), all restitution due to the victim required by this Order must be paid before any restitution is paid to the victim's insurer.

5. Schedule of Payments. Restitution shall be paid in monthly installments of at least 15% of gross monthly income over a period of supervision to commence 30 days after the date of judgment or release from custody, whichever is later. The defendant shall notify the United States Attorney for this district within 30 days of any change of mailing address or residence address that occurs while any portion of the restitution remains unpaid.

Dated: New York, New York
November 21, 2019


HONORABLE LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE